

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARK WALLS

v.

MILLER EDGE, INC.,
JOHN CAGGIANO, and
TIMOTHY CASTELLO

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CIVIL ACTION

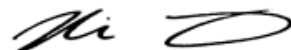
No. 22-3596

ORDER ON DEFENDANTS' MOTION TO DISMISS

AND NOW, this 26th day of April, 2024, upon consideration of Defendants Miller Edge, Inc., John Caggiano, and Timothy Castello's Motion to Dismiss (ECF No. 6), Plaintiff's Response in Opposition (ECF No. 10), and Defendants' Reply (ECF No. 13), it is hereby **ORDERED** that the Motion is **DENIED** in part and **GRANTED** in part. It is hereby **ORDERED** as follows:

1. Defendants' Motion is **DENIED** with respect to Counts II and III (Family and Medical Leave Act Discrimination and Retaliation) regarding Defendants Miller Edge, Inc. and John Caggiano.
2. Defendants' Motion is **GRANTED** with respect to: (i) Count I (FMLA Interference); and (ii) the individual claims against Defendant Timothy Castello; therefore:
 - a. Count I is hereby **DISMISSED** with respect to all Defendants.
 - b. All claims against Defendant Timothy Castello are **DISMISSED**.

BY THE COURT:



Hon. Mia R. Perez